

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Joseph M. Lombardo, Jr.

Debtor

Lakeview Loan Servicing, LLC, or its Successor
or Assignee

Movant

vs.

William C. Miller, Esq., Trustee

Joseph M. Lombardo, Jr.

Respondents

Chapter 13

Bankruptcy No. 18-16640-mdc

**MOTION OF LAKEVIEW LOAN SERVICING, LLC, OR ITS SUCCESSOR OR
ASSIGNEE FOR RELIEF FROM AUTOMATIC STAY UNDER § 362(a)**

Movant: Lakeview Loan Servicing, LLC, or its Successor or Assignee

Mortgage dated September 14, 2015 and recorded in the Office of the Recorder of Philadelphia County in Mortgage Instrument Number 52968874.

Assignment of Mortgage dated May 11, 2018 and recorded in the Office of the Recorder of Philadelphia County in Mortgage Instrument Number 53366120.

1. Lakeview Loan Servicing, LLC, or its Successor or Assignee (hereinafter "Movant") holds a claim secured by a duly recorded Mortgage on property of Joseph M. Lombardo, Jr., or of the bankruptcy estate located at: 3148 Draper Street, Philadelphia, PA 19136.

2. Joseph M. Lombardo, Jr. (hereinafter "Debtor") filed a Petition under Chapter 13 on October 4, 2018.

3. At the present time, the Mortgage requires payments each month of \$1,434.60.

4. Movant has not received regular mortgage payments and lacks adequate protection of its interests.

5. Debtor is in default of post-petition payments to the present date from December 1, 2018.

6. The total amount of the post-petition arrearage as March 1, 2019 is \$5,695.00 This figure is broken down as follows:

-Four (4) delinquent payments of \$1,434.60 for the months of December, 2018 through February, 2019

-Less suspense balance of \$43.40

7. Since March 1, 2019, Movant has incurred attorneys' fees in connection with this Motion.

8. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtor under said Mortgage.

9. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code §362(a) to permit Movant to exercise applicable state court remedies with respect to the mortgage property and for such relief as this Court deems necessary and appropriate.

/s/ Francis T. Tarlecki

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